

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 15 2020

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

KEVIN LEE DAVIS, AKA Slow, AKA
Yellow Dude,

Defendant-Appellant.

No. 19-10400

D.C. No. 4:98-cr-40082-YGR-3

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Yvonne Gonzalez Rogers, District Judge, Presiding

Submitted July 14, 2020**

Before: CANBY, FRIEDLAND, and R. NELSON, Circuit Judges.

Kevin Lee Davis appeals from the district court's order denying his motion under Federal Rule of Criminal Procedure 36 to correct the special assessment imposed as part of his sentence. Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Davis's counsel has filed a brief stating that there are no grounds for relief,

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

along with a motion to withdraw as counsel of record. We have provided Davis the opportunity to file a pro se supplemental brief. No pro se supplemental brief or answering brief has been filed.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80 (1988), discloses no arguable grounds for relief on direct appeal.

Counsel's motion to withdraw is **GRANTED**.

AFFIRMED.